

Council,
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in its back-up staff.

Some discussion ensued with respect to a comment made in the Staff Report relating to minority viewpoints and Alderman McGuire questioned how these reports would be presented to Council.

The City Manager explained that more discussion will need to be held on this point, but he expected that since one individual will be engaged in co-ordinating the work of all departments, boards and commissions in relation to a specific project it is hoped that everyone of the groups will agree with a particular course of action. If this is not the case, then he said that he would meet with the groups and present in the reports to Council the respective views.

Alderman Connolly questioned whether Mr. West's salary upon his return to the position of Special Projects Engineer will remain the same.

The City Manager said that he did not anticipate any reduction in his present salary upon his return. He went on to say that a salary survey has been prepared which Staff is presently discussing with consultants before being presented to City Council.

The motion was then put and passed, eight voting for the same and two against it as follows:

For:	Aldermen Abbott, MacKeen, Hogan, Ivany, LeBlanc, McGuire, Meagher and Allen	8
Against:	Aldermen Connolly and Sullivan	2

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Motion - Alderman Abbott Re: Amendment to City Charter for
the Establishment of Assistant City Manager and permissive
Delegation of Power by the City Manager to the Assistant
City Manager

MOVED by Alderman Abbott, seconded by Alderman
LeBlanc that the above matter be withdrawn for an indefinite
period of time. Motion passed.

Motion - Alderman Ivany Re: Additional Powers of Authority
to be given to the City Manager

MOVED by Alderman Ivany, seconded by Alderman
Allen that the above matter be withdrawn for an indefinite
period of time.

Alderman McGuire said that he was in agreement
with the motion, but thought that at some future date the
Council should further discuss the two motions.

His Worship the Mayor said that if either or both
of the two motions are to be raised again, a new Notice of
Motion will be required to be given.

The motion was then put and passed.

QUESTIONS

Question Alderman Hogan Re: Taxi Legislation

Alderman Hogan referred to the fact that a small
committee was appointed to meet with taxi owners to discuss
taxi stands and he asked if a meeting has been held and when
members of Council will be receiving a report.

Alderman LeBlanc said that copies of the taxi
questionnaire had been sent to all members of Council for
completion and return and he had not received any back. He
said that he had been in contact with one of the lawyers
representing a group of taxi owners and it is expected that

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Meeting will be called very shortly.

Alderman Meagher said that he has been in touch with a Mrs. Parsons of the Taxi Association who has informed that the Association is presently preparing a brief for presentation to the meeting.

Petition Alderman Sullivan Re: Constitution of Legal Vote

Alderman Sullivan asked if a vote of five persons at a meeting of the Committee of the Whole Council is a legal

His Worship the Mayor advised that six persons constitutes a quorum, one of whom is the Chairman, leaving five members of Council to vote. He advised that the vote is quite in order.

Petition Alderman Allen Re: Petition Respecting Herring Cove Road Traffic

Alderman Allen asked what action has been taken with respect to a petition Council received regarding traffic on Herring Cove Road.

The City Manager advised that the petition covered a number of items and he has now received some information on the street lighting matter and expects to receive the remainder of the information shortly.

Petition Alderman Sullivan Re: Meeting of Judiciary, School Board and Police Department Respecting Window Breakages in Schools

Alderman Sullivan asked when a meeting will be held between the members of the Judiciary, School Board and Police Department to discuss ways and means of reducing window breakages in City Schools.

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His Worship the Mayor could not recall whose responsibility it was to convene the first meeting and he asked the City Clerk's Department to check the Minutes to ascertain the first named on the Committee and to arrange a date for a meeting at the earliest opportunity.

Question Alderman Sullivan Re: Meeting with Members of the Legislature

Alderman Sullivan asked when the meeting with Members of the Legislature will be arranged to which Council agreed some time ago.

Alderman Allen advised that he is to convene the first of such meetings and has had a problem in setting a convenient date for all, but he said that he will arrange a meeting at the earliest opportunity.

Question Alderman McGuire Re: Elimination of Incinerators in Apartment Buildings

Alderman McGuire asked the City Manager if he would request the Building Inspector to give some consideration to and report on the possible reaction to a suggestion that the City eliminate the use of incinerators in apartment buildings in the City. He referred to a great deal of pollution and nuisance caused by the improper use of such incinerators. He asked the City Manager to have the Building Inspector consider the suggestion and prepare a report to Council.

Question Alderman LeBlanc Re: Traffic in Kline Heights

Alderman LeBlanc reported that he had been asked by residents of the Kline Heights area to request answers to the following questions:

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- (a) Why were the speed signs on Withrod Drive removed?
- (b) Is there any possibility of installing traffic lights or a stop sign at the intersection of Withrod Drive with Herring Cove Road?

Question Alderman Connolly Re: Sewer Solution - Kline Heights

Alderman Connolly asked if anything has been done to solve the sewer problem in the Kline Heights area.

His Worship the Mayor advised that the consultants are doing the design work at the present time and a report is expected by November 15, 1969. The report is expected to propose a solution to the problem and Council will have to consider the proposals before action is taken.

Question Alderman McGuire Re: Meeting on Financial Matters

Alderman McGuire referred to a discussion he had held with His Worship the Mayor about a date for a meeting on Financial Matters including the Sanford Report and he asked if November 21, 1969 has been agreed upon.

His Worship the Mayor said he would check with the City Clerk's Department and inform Alderman McGuire tomorrow.

Question Alderman Allen Re: Upgrading of Street Lighting in Annexed Area

Alderman Allen asked if Staff are presently giving consideration to the upgrading of street lighting in the annexed area.

The City Manager advised that he has received some information on street lighting on Herring Cove Road, Purcell's Cove Road and the Bedford Highway and will obtain the rest of

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the information as soon as possible and submit a report to members of Council.

Question Alderman Ivany Re: Damage to Wall Around Camp Hill Hospital

Alderman Ivany asked the City Manager if he has received any information regarding the considerable damage that has been done to the wall around Camp Hill Hospital and whether it will be repaired shortly.

His Worship the Mayor said that he had referred the matter to Staff about five months ago. He understood that there was a report from the Director of Works on the matter, but he would ask the City Manager to check again to see if any action will be taken.

Question Alderman Ivany Re: Possible Implementation of Action File System

Alderman Ivany referred to some of the many decisions made by Council on which some action must be taken and he asked if a system of action files can be initiated which would facilitate research by members of Council and would assist Staff in implementing the decisions.

The City Manager advised that this would entail a fair amount of work and his office had attempted to follow up on many matters. He felt that it was the responsibility of each Department Head to peruse the Minutes where they were received and make sure that action is taken. He pointed out that certain requests for Staff action are not always included in actual motions.

Alderman Ivany referred to a particular request

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made of Council for the appointment of a Housing Director and he said that no person had been appointed.

His Worship the Mayor said that he had requested the City Manager to check into this particular matter and although the recommendation had been located in Minutes of the Housing Committee, no decision of Council could be found in the Minutes. He asked Alderman Ivany if he could assist in locating Council's action on the matter in the Minutes.

Alderman Ivany said that he had raised the matter several times.

His Worship the Mayor said that this might be so, but Staff could not act until Council had actually passed a motion on the appointment and a Council motion on the matter cannot be found.

Some discussion ensued on this point and the City Manager advised that several members of the Development Department spend the greater part of their time on housing matters.

In referring to the follow up programme, Alderman Allen hoped that when some clerical assistance is made available to members of Council, the person appointed will be able to follow up on certain matters for the Aldermen to make sure that they do not get overlooked.

Question Alderman Sullivan Re: Chronic Care Patients from Basinview Home

Alderman Sullivan asked if Staff has given any consideration to the possibility of locating some of the Chronic Care patients from Basinview Home in the old Camp

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ill Hospital, if it is changed to a chronic care facility
upon completion of the newly proposed D.V.A. Hospital.

NOTICES OF MOTION

Notice of Motion - Alderman Abbott Re: Amendments to Ordinance
No. 114 Respecting the Board of Management of the Halifax
Civic Hospital

Alderman Abbott gave notice that, at the next
regular meeting of City Council to be held on Wednesday,
October 29, 1969, he would introduce an amendment to Ordinance
No. 114, Respecting the Board of Management of the Halifax
Civic Hospital. The purpose of the amendment is to provide
for the election of officers at the annual meeting in
February rather than in November of each year, and to eliminate
the necessity of Council having to approve rules and regu-
lations made by the Board with respect to management, use
and good government of the Hospital, and the officers and
employees thereof.

Notice of Motion - Alderman Abbott Re: Introduction of
Ordinance No. 138 Respecting the Fee to be paid for a
Tax Certificate

Alderman Abbott gave notice that, at the next
regular meeting of City Council to be held on Wednesday,
October 29, 1969, he would introduce Ordinance Number 138,
Respecting the Fee to be paid for a Tax Certificate. The
purpose of the Ordinance is to set a fee for the issuance
of a Tax Certificate in an amount of Five Dollars (\$5.00).

Notice of Motion - Alderman Hogan - Introduction of Ordinance
No. 140 Respecting the Reservation of Land in Subdivisions
for Public Parks and Playgrounds

Alderman Hogan gave notice that, at the next regular
meeting of City Council to be held on October 29, 1969, he

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would introduce Ordinance Number 140, Respecting the Reservation of Land in Subdivisions for Public Parks and Playgrounds. The purpose of the Ordinance, made under the provisions of Section 533A of the Halifax City Charter, 1963, which Section was enacted this year, is to provide that the City may require the owner of lands being subdivided to reserve therein an area for public use, or, in lieu of the reservation of land the Town Planning Board may accept, on behalf of the City, a sum of money from the owner of the lands, which sum shall be 5% of the assessed value of the land after it has been subdivided. The Section further provides that any sums of money so accepted shall be held by the City in a separate account and used only for the purpose of acquiring and developing public parks and playgrounds in the City.

Notice of Motion - Alderman Allen Re: Amendment to Ordinance No. 131 Respecting Buildings and the Adoption of the National Building Code

Alderman Allen gave notice that, at the next regular meeting of City Council to be held on Wednesday, October 29, 1969, he will introduce an amendment to Ordinance Number 131, Respecting Buildings and the Adoption of the National Building Code. The purpose of the amendment is to properly describe a table referred to in Section 1.5.7 of the National Building Code.

ADDED ITEMS

Street Maintenance Agreement No. 11

MOVED by Alderman LeBlanc, seconded by Alderman Abbott that, as recommended by the Committee on Works, approval

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be given to Street Maintenance Agreement No. 11, as drafted, subject to it being automatically renewed on an annual basis, provided neither party gives notice ninety days prior to the anniversary date of an intent to request a change.

Motion passed.

Alderman Meagher referred to the more than 200 miles of City streets on which the only help received from the Province is on 26 miles. He said that before annexation the Provincial Government helped plow, salt and sand many of the streets in Wards 7, 8, 9 and 10.

His Worship the Mayor said that some assistance was included in the transitional grants that were received from the Province this year, but that the City has served notice on the Province that the City is examining all the questions relating to annexation and the City Manager has received some special assistance on this, and that in a month or so a report will be prepared requesting the Province to reconsider all of the issues relating to finance.

Alderman Meagher felt that the City should try to negotiate for assistance on individual City streets and suggested certain streets that are mainly used for Provincial traffic such as Connaught Avenue from Chebucto Road to Quinpool Road, he understood that Connaught Avenue from Bayers Road to Chebucto Road was already included, Robie Street from North Street to Spring Garden Road, Quinpool Road from the Rotary to Robie Street, Oxford Street from Windsor Street to Quinpool Road. He asked if there is any way in which the

then have sufficient time to consider the whole matter before

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City can renegotiate some of these streets.

His Worship the Mayor said that the Province has indicated that it is not open to any further change this year, but the City can re-open negotiations next year on 90 day's notice.

Alderman Meagher felt very strongly on the matter and insisted that some renegotiation should take place on the designation of the portions of streets he has suggested since they all carry a considerable volume of Provincial traffic.

Alderman Allen said that he would not be prepared to second a motion as suggested by Alderman Meagher but he would be prepared to second a motion that the City serve the 90 day notice to the Province indicating that it wishes to re-open the negotiations.

His Worship the Mayor pointed out that the City has 90 days before April 1, 1970 to decide whether it wishes to re-open the agreement.

Alderman Allen felt that the matter needs more discussion and consideration by Staff before positive steps are taken.

His Worship the Mayor briefly reported on the meetings that had been held on the Street Maintenance Agreement.

Alderman Meagher said that Staff should consider the suggestions he has made and prepare a report to the second meeting in November commenting on the suggestions with regard to maintenance and capital items. Council would then have sufficient time to consider the whole matter before

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the deadline.

It was suggested that Mumford Road also be considered by Staff when preparing the report.

The City Manager advised that it might not be possible to include the capital items in a report to Council in November and he felt that the two matters should be separated.

It was also suggested that North Street to Barrington Street be included.

Alderman Sullivan suggested the inclusion of Devonshire Avenue and Gottingen Street and in fact all streets that are used by Provincial traffic in the City.

Alderman Abbott suggested that Alderman Meagher be included in any group who might be approaching the Province with respect to the re-negotiation of the Agreement.

Alderman Abbott also suggested that the Province be approached to see whether they would be amenable to the granting of a rebate, in full, on license plates of the diesel buses which do not operate outside the City limits.

His Worship the Mayor requested the City Clerk to forward this suggestion to the Halifax Transit Corporation for its consideration.

Alderman Allen referred to certain roads in Ward 7 which are presently included in the Street Maintenance Agreement, namely Herring Cove Road, Sussex Street and a short portion of the Old Sambro Road to the City boundary. He reported that at present the portion of Old Sambro Road is

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unpaved and traffic going to Harrietsfield is presently using Rockingstone Road and Leiblin Drive, both residential streets, rather than the Provincial roadway.

It was then MOVED by Alderman Allen, seconded by Alderman Meagher that the Minister of Highways be requested to give consideration to the early paving of the section of the Old Sambro Road from the intersection of Leiblin Drive to the City boundary. Motion passed with Alderman MacKeen voting against.

Halifax Developments Limited

The following report was submitted from Staff:

"Halifax Developments Limited has now requested the City to issue to it a Development Permit relating to Stage 5 of Scotia Square, under the provisions of Section 538A of the Halifax City Charter. This Section, which was approved by the Nova Scotia Legislature this year, enables Council to authorize the erection of the proposed construction and issue a permit therefor where the Building Inspector is unable to issue the building permit by reason that the proposed construction does not meet the requirements of the Halifax Zoning By-law. Such a permit may only be approved where the land upon which the construction is being erected is in excess of five acres.

It is therefore recommended that Council approve the issue of such a development permit and authorize the Mayor and the City Clerk to execute the same."

MOVED by Alderman Abbott, seconded by Alderman Ivany that City Council approve the issue of a Development Permit to Halifax Developments Limited, relating to Stage 5 of Scotia Square and authorize His Worship the Mayor and the City Clerk to execute the same. Motion passed.

(A copy of the Development Permit is attached to the Official Minutes of the meeting).

DEVELOPMENT PERMIT
CITY OF HALIFAX

WHEREAS the City of Halifax and Central Mortgage and Housing Corporation, of the One Part, and Halifax Developments Limited, of the other Part, entered into a certain Agreement under date of the 31st day of August, A. D., 1966, in regard to the development of the area known and designated as the Central Redevelopment Area, a copy of which Agreement is attached hereto as Schedule "A";

AND WHEREAS Halifax Developments Limited has now applied to the City of Halifax for a Development Permit to be issued under the authority of Section 538A of the Halifax City Charter, 1963, as amended, in regard to the said development as described in the said Agreement;

PERMISSION is hereby granted to Halifax Developments Limited to proceed with the said development in accordance with the terms and conditions of the said Agreement and in accordance with the terms and conditions of the Leases referred to therein, and in accordance with all other laws related thereto, whether municipal, provincial or federal.

DATED at Halifax, Nova Scotia, this day of
October, A. D., 1969.

Mayor

Acting City Clerk

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Grafton Street Parking Lot - Negotiation of Terms of Disposal
of Land

The following report was submitted and read by
Alderman Hogan:

"At the meeting of the Finance and Executive Committee held on October 8, 1969, the above referred to matter was referred to a Committee comprised of Alderman Hogan, as Chairman and Aldermen McGuire and Meagher.

This Committee has met with staff and now recommends to Council that the following option to purchase terms be offered to the Developer:

1. That the Developer shall have an option to purchase the above referred to property at the present appraised market value, for the first three year period, and thereafter at a value of the present appraised market value escalated at the rate of 5% per annum for the next seven year period;

OR

An option to purchase for a period of twenty-five years at market value as set at the time of the exercise of the option to purchase.

2. That the Developer be hereby given a period of three months from this date to accept one of the two above alternatives, otherwise the proposed development herein shall be abandoned."

Some discussion ensued on the report and Alderman Meagher asked if the Solicitor had read the report.

He was told that the Solicitor had in fact written the report.

It was then MOVED by Alderman Hogan, seconded by Alderman Meagher that the report be approved.

In reply to a question, the Solicitor advised that he had tried to contact Mr. Ralph Medjuck's solicitor but he was unavailable.

The motion was then put and passed.

9:45 p.m. Council adjourned.

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Council attending, led by the City Clerk, joined in reciting the Lord's Prayer.

Present: His Worship the Mayor and Aldermen MacKeen, Hogan, Ivan and Allen.

ALLAN O'BRIEN
MAYOR AND CHAIRMAN

J. AYERST
ACTING CITY CLERK

Also Present: City Manager, City Solicitor, City Clerk, Building Inspector and other staff members.

The City Clerk advised that the meeting was called specially to consider orders to demolish dilapidated buildings under Section 438 of the Halifax City Charter.

He further advised that it is requested an item be added relating to the demolition of Central Properties Limited.

Council agreed to add the item.

DEMOLITION OF DILAPIDATED BUILDING ORDERS

The following report was submitted from Staff, to which was attached reports from the Building Inspector concerning the following properties:

- 5180 Gerrish Street
- 2188 Upper Water Street
- 1519 Lower Water Street
- 1521 Lower Water Street
- 710 Herring Cove Road (dualing)
- 710 Herring Cove Road (abnd)
- 27 Pine Grove Drive

SPECIAL MEETING
CITY COUNCIL
MINUTES

Special Council,
October 22, 1969

Council Chamber,
City Hall,
Halifax, N. S.,
October 22, 1969,
3:45 p.m.

A Special Meeting of the City Council was held on the above date.

After the meeting was called to order, members of Council attending, led by the City Clerk, joined in reciting the Lord's Prayer.

Present: His Worship the Mayor, Chairman and Aldermen MacKeen, Hogan, Ivany, McGuire, Meagher, Sullivan and Allen.

Also Present: City Manager, City Solicitor, City Clerk, Building Inspector and other Staff members.

The City Clerk advised that the meeting was called specially to consider orders to demolish dilapidated buildings under Section 438 of the Halifax City Charter.

He further advised that it is requested an item be added relating to Provinces and Central Properties Limited.

Council agreed to add the item.

DEMOLITION OF DILAPIDATED BUILDING ORDERS

The following report was submitted from Staff, to which was attached reports from the Building Inspector concerning the following properties:

- 5180 Gerrish Street
- 2180 Upper Water Street
- 1519 Lower Water Street
- 1521 Lower Water Street
- 710 Herring Cove Road (dwelling)
- 710 Herring Cove Road (shed)
- 27 Pine Grove Drive

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"It will be noted that the Building Inspector is recommending removal or demolition in accordance with the provisions of Section 438 of the City Charter.

Section 438 empowers Council or a committee appointed by Council to which the powers under the Section have been delegated by resolution to make an order either remedying the dilapidated condition or demolishing and removing the building. The assessed owner of the land upon which the building stands must be notified by registered mail not less than ten days prior to the date on which Council or the committee propose to make an order.

The maximum period for compliance with the order is six months; and in the event of non-compliance, the City may demolish, remove, or sell the building with the proceeds being paid to the owner, mortgagee, or other person entitled thereto, less the amount of any outstanding taxes. Any funds expended in removal or demolition constitute a lien on the property upon which the building stood.

It is recommended that a date be set for the making of orders respecting the properties listed in line with the recommendations of the Building Inspector."

Alderman Allen referred particularly to the property located at 27 Pine Grove Drive and noted that the Building Inspector has recommended: "Because of recent fires in this structure and the high hazard to neighbouring dwellings it is suggested that the time limit for removal or destruction be reduced to seven days." He questioned whether the seven days will be from the date of the hearing by Council and whether the time should be reduced.

The City Solicitor said that he would not recommend any reduction in the seven days suggested since Council is dealing with personal property.

Alderman Allen suggested that the Council meeting to make the Orders be held two weeks from today.

In reply to a question, the City Solicitor advised that under the old City Charter the Committee on Works were empowered to make the Orders but under the new City Charter

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City Council has the power unless by resolution it appoints a Committee to deal with the matter.

After a short discussion, it was MOVED by Alderman Allen, seconded by Alderman Ivany that a Special Council meeting be called for Wednesday, November 5th, 1969, at which time Orders will be made with respect to the following properties, in line with the recommendations of the Building Inspector:

5180 Gerrish Street
2180 Upper Water Street
1519 Lower Water Street
1521 Lower Water Street
710 Herring Cove Road (dwelling)
710 Herring Cove Road (shed)
27 Pine Grove Drive.

Motion passed.

PROVINCES AND CENTRAL PROPERTIES LIMITED

A Confidential Report was submitted from Staff relating to the matter of the return of the Performance Deposit to Provinces and Central Properties Limited. The report concludes with the following recommendation:

"It is therefore recommended that Council, on behalf of the Partnership, approve of the settlement of this claim in the amount of \$62,000.00, thereby in effect creating a saving to the Partnership of approximately \$20,000.00, and that this be immediately paid from the original performance deposit held by the Partnership."

Some discussion followed on the matter and it was suggested that Council should adjourn to meet privately to discuss the report.

3:55 p.m. Council adjourned to meet privately with the City Solicitor in the Mayor's Office.

4:07 p.m. Council reconvened, the same members being present.

ORDER OF BUSINESS

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CITY COUNCIL

MOVED by Alderman Ivany, seconded by Alderman Allen that City Council, on behalf of the Partnership, approve of the settlement of the claim of Provinces and Central Properties Limited in the amount of \$62,000.00, thereby in effect creating a saving to the Partnership of approximately \$20,000.00, and that this be immediately paid from the original performance deposit held by the Partnership.

Motion passed.

4:08 p.m. Council adjourned.

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ALLAN O'BRIEN
MAYOR AND CHAIRMAN

Report - Committee on Works:

- (a) R. H. STODDARD
CITY CLERK
- (b) 47 Despond Avenue
- (c) 64 Argyle Street
- (d) Tenders - Two 1969 Truck Chassis with Tilt Cab
- (e) Tenders - One 1969 Model Motor Grader
- (f) Tenders - One 1969 Model Crawler Tractor with Bulldozer

Report - Safety Committee: NONE

Report - Public Health & Welfare Committee: NONE

Report - Committee of the Whole Council, Boards & Commissions:

- (a) Amendment to Ordinance Number 137, respecting "Deferred Payment of Taxes" - SECOND READING

Report - Town Planning Board:

- (a) Rezoning - R-1 Residential Zone to R-2 Residential Zone - Lots 72, 74, 75, and 76 Stonehaven Road
- (b) Rezoning - R-1 Residential Zone to R-2 Residential Zone and Modification of Lot Frontage, Front Yard and Side Yard Requirement - #19 Winchester Avenue

Record

ORDER OF BUSINESS

CITY COUNCIL,
MINUTES

CITY COUNCIL

OCTOBER 29, 1969

8:00 p.m.

1. Lord's Prayer
2. Roll Call
3. Minutes: October 15, and 22, 1969
4. Approval of Order of Business, Additions & Deletions
5. Deferred Items: (a) Sidewalks - Wards 7, 8, 9 and 10 -
Approval of Capital Works Programme
5. Motions of Reconsideration: NONE
7. Motions of Rescission: NONE
8. Public Hearings and Hearings: NONE
9. Petitions & Delegations.
10. Report - Finance & Executive Committee:
 - (a) Property Acquisition - #2267-71 Maitland Street
 - (b) Possible Business Disturbance Settlement - Henry's Heating & Sheet Metal Limited
 - (c) Canvass - Seventh Day Adventist Church
 - (d) Rental - Bedford Row Fire Station
 - (e) Additional Requirement for Africville Land Acquisition
 - (f) Sound System - Council Chamber
11. Report - Committee on Works:
 - (a) Encroachment - #3747 Desmond Avenue
 - (b) Encroachment - #1564 Argyle Street
 - (c) Tenders - Hauling Bulk Salt
 - (d) Tenders - Two 1969 Truck Chassis with Tilt Cab
 - (e) Tenders - One 1969 Model Motor Grader
 - (f) Tenders - One 1969 Model Crawler Tractor with Bulldozer
12. Report - Safety Committee: NONE
13. Report - Public Health & Welfare Committee: NONE
14. Report - Committee of the Whole Council, Boards & Commissions:
 - (a) Amendment to Ordinance Number 137, respecting
"Deferred Payment of Taxes" - SECOND READING
15. Report - Town Planning Board:
 - (a) Rezoning - R-1 Residential Zone to R-4 Residential Zone -
Lots 73, 74, 75, and 76 Stonehaven Road
 - (b) Rezoning - R-1 Residential Zone to R-2 Residential Zone and
Modification of Lot Frontage, Front Yard and Side Yard
Requirement - #19 Winchester Avenue

(c) REPORT - TOWN PLANNING BOARD: (CONTINUED)

Report - Town Planning Board: (Continued)

- (c) Rezoning - R-2 Residential Zone to R-4 Residential Zone and Modification of Side Yard Requirement -
Lot 110, Central Avenue
- (d) Town House Project - #3236 Robie Street

Motions:

- (a) Motion - Alderman Abbott Re: Amendments to Ordinance #114, respecting "The Board of Management of the Halifax Civic Hospital - FIRST READING
- (b) Motion - Alderman Abbott Re: Introduction of Ordinance #138 respecting "The Fee to be paid for a Tax Certificate - FIRST READING
- (c) Motion - Alderman Hogan Re: Introduction of Ordinance #140, respecting "The Reservation of Land in Subdivisions for Public Parks and Playgrounds - FIRST READING
- (d) Motion - Alderman Allen Re: Amendment to Ordinance #131, respecting "Buildings and the Adoption of the National Building Code - FIRST READING

Miscellaneous Business:

- (a) Accounts Over \$5000
- (b) Lord's Day Permits
- (c) Application - Rebate, Gasoline Tax - N.S.L. & P. Co.Ltd.
- (d) Agreement - Fire Protection - Halifax Shipyards Limited
- (e) Appointment - Architect - Addition to Gorsebrook School

QUESTIONS

Notice of Motion

Added Items

OCTOBER 23 1963

CITY COUNCIL

OFFICE OF THE CLERK

CITY COUNCIL,
MINUTES

Council Chamber,
City Hall,
Halifax, N.S.
October 29, 1969
8:00 P.M.

A meeting of the City Council was held on the above date.

After the meeting was called to order the members of City Council attending, led by the City Clerk, joined in reciting the Lord's Prayer.

Present were: Deputy Mayor, Chairman; and Aldermen Abbott, Hogan, Connolly, Ivany, LeBlanc, McGuire, Meagher, and Sullivan.

Also present: Acting City Manager, City Solicitor, City Clerk, and other staff members.

MEMBERS OF FAIRVIEW RANGER COMPANY IN ATTENDANCE

Alderman McGuire called the Council's attention to the fact that there were present in the gallery members of the First Fairview Ranger Company, which was formed of girls with Girl Guide training. He said their purpose in attending the meeting was part of the program for qualifying for citizenship badges.

MINUTES

Minutes of the meetings of October 15 and October 22nd, 1969 were approved on motion of Alderman Ivany, seconded by Alderman Sullivan.

APPROVAL OF ORDER OF BUSINESS, ADDITIONS AND DELETIONS

The City Clerk advised there were two items to be added to the agenda:

20 (a) - Application for Auctioneer's Licence

20 (b) - Ordinance No. 135 - Minimum Standards - Second Reading

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Alderman Meagher requested the addition of -
20 (c) - Civic Hospital

Alderman LeBlanc requested the addition of -
20 (d) - Scotia Square office space

20 (e) - Halifax Commons

20 (f) - Overhead wiring - City Streets

Alderman Ivany requested the addition of -

20 (g) - Public Hearing - Street Lines Dunbrack Street

MOVED by Alderman Abbott, seconded by Alderman
McGuire that the agenda, as amended, be approved. Motion passed.

DEFERRED ITEM

SIDEWALKS - WARDS 7, 8, 9 and 10 - APPROVAL OF CAPITAL WORKS
PROGRAM

Council on October 15 considered the following
recommendations of the Committee of the Whole Council:

"That the City adopt a sidewalk program for 1969 and 1970
based on an abutter's charge equivalent to 25% of an
estimated standard cost and that the programme be within
the level that the City Manager would recommend as part
of the City's Capital Budget and on a priority basis as
recommended by City Staff."

The recommendation was deferred for two weeks "to permit staff
to approach the Department of Municipal Affairs to ascertain
its reaction to a proposal to seek legislation for the City to
impose an area rate to assist in the financing of the sidewalk
program".

A staff report was submitted, reading in part
as follows:

"On the basis of the discussion held, it is indicated that
the Department probably would not oppose the seeking of
such legislation, providing that the resulting area levy
would not apply to taxpayers who had already paid by area
rate or frontage charge for sidewalks now in existence.

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"Assuming legislation were obtained in such form, it would presumably mean that the area rate could not apply on a ward basis, or alternatively, to some lesser area, and that it would have to be applied to those specific properties directly benefiting from the capital program."

The staff report made reference to the following resolution which was also passed at the October 15th meeting of Council:

"That approval be given to whatever streets urgently require paving that can be recommended by staff for work to be done for the balance of the year and that staff prepare an overall proposal in relation to the next year's program."

and recommended that the entire 1969 capital budget proposal attached to the staff report of September 15 be approved at this time, and listed the streets where paving would be carried out as soon as possible (allowing for necessary survey work, grading, formal acceptance of streets, etc.).

8:10 P.M. - Alderman Abbott took the Chair in order that Alderman Allen, who had introduced the motion for street work in Wards 7, 8, 9, and 10, could speak on the matter.

Alderman Allen referred to the statement in the staff report that the Department of Municipal Affairs would not oppose the seeking of legislation to impose an area rate, but said that after further consideration he could foresee a great deal of difficulty in implementing an area rate within the City, in view of the fact that the recommendation was a proposal for the entire City, and not only the new portions. He felt it would be extremely difficult to determine what portions of any section of the City should be contributing to an area rate, so that he was not prepared to pursue the matter on his own, and suggested

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that Council would not be wise to pursue the matter either. He said that since the last discussion on the matter, he had discussed with several contractors the question of paving and use of asphalt, and had been quoted prices for such work considerably below the figures used by staff, although he appreciated that the figures he had received from the contractors made no provision for drainage or other problems such as grading, clearance of land, etc.

Alderman Allen stated that the Committee of the Whole at its meeting of October 14th, 1969, accepted the principle of cost-sharing on arterial streets. He pointed out that in the staff report submitted to that meeting, costs for the proposed services had been set at approximately \$20.00 to \$25.00 per lineal foot, whilst the charges up to this time in the old part of the City had been \$6.95 per lineal foot, so that in effect he felt the City had been subsidizing installation of sidewalks.

Alderman Allen said that it had been his intention to move an amendment at tonight's meeting, along the following lines:

THAT the City adopt a sidewalk program for 1969/1970 based on an abutter's charge of 10% of the estimated cost, and that the program be within the level the City Manager would recommend as part of the City's Capital Budget and on a priority basis as recommended by City staff.

However, he added, in view of His Worship the Mayor's absence from tonight's meeting, and his own position as Chairman, he did not feel in a position to move such an amendment.

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Alderman Hogan agreed the matter was an involved one, but felt that action should be taken as soon as possible to install a sidewalk on at least one side of Main Avenue in Fairview, in view of the heavy traffic on the road and its intended use by public transit. However, he added, this brought up the point of whether persons on both sides of the street should be charged for their share of the costs at this time, and the same done when the sidewalk was put on the other side of the street. The problem, he said, was that neither side of the street wanted the sidewalk because of the costs involved and the fact that it would create a certain amount of litter from the pedestrians using it.

The City Solicitor, however, advised that it would not be possible to divide the costs between owners on both sides of the street, since the charge must go to the abutter of the walk. On being further questioned he agreed there was no reason why legislation could not be sought to permit the dividing of the charges, but he could not say what the outcome would be.

In answer to a question put by Alderman Meagher, Alderman Allen said that his amendment applied only to arterial roads, since it was agreed that the owners abutting subdivision streets would pay the full cost, and the amendment was to reduce the cost to the abutters on arterial roads from 25% to 10% of the costs.

Alderman McGuire asked the City Solicitor if the City would be permitted to assume the full cost on the arterial roads, and the City Solicitor replied in the affirmative.

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Alderman Ivany questioned any reduction in the abutter's charges on arterial roads in view of the fact that the abutters on such roads were firms like the Dominion Stores, the Nova Scotia Light and Power Company Limited, and the Liquor Commission, who could well afford a 25% share in the costs.

Alderman Allen said that sidewalks already existed in front of some of these businesses, and that the portions to be installed would involve for the most part private residences.

Alderman Sullivan questioned the wisdom of reducing the charges to 10% in view of the precedent it would create. He therefore felt no action should be taken before thorough consideration had been given to all the implications involved.

With regard to Alderman Allen's comments on the difference between cost figures quoted by staff and those he had received from contractors, Alderman Ivany pointed out that the costs in the old part of the City of \$6.95 per lineal foot did not serve as a fair comparison, since costs for grading, etc. could be considerably higher in the annexed areas. Alderman Allen agreed while this might apply to some sections, there were others where he did not feel there should be any special problems.

Alderman Meagher asked if Ald. Allen would have an objection to the imposition of an area rate within the ward itself, and Alderman Allen replied he would. Alderman Allen said that he could see difficulty in defining what constituted an arterial road in certain cases.